



City Council  
Atlanta, Georgia

**04- 0 -1294**

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-04-64  
6-8-04

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta, Georgia be amended and the maps established in connection therewith be changed so that the following property located at **438 Fraser Street/62-68 Solomon Street, S.E.** be changed from the **C-1 (Community Business) & RG-3 (Residential-General Sector 3)** Districts, to the **PD-MU (Planned Development-Mixed Use)** District to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **53** of the **14th** District of **Fulton** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "PD Planned Development District," and Chapters 19A through 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

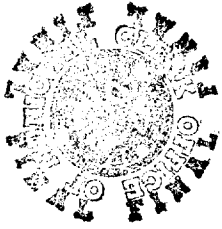
SECTION 4. That all ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

A true copy,

*Rhonda Daughlin Johnson*  
Municipal Clerk, CMC

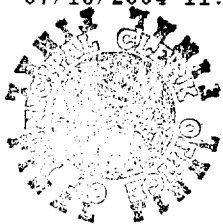
ADOPTED by the Council  
APPROVED by the Mayor

October 4, 2004  
October 8, 2004



**Conditions for Z-04-64**  
**438 Fraser Street/62-68 Solomon Street, S.E.**

1. Conditional on site plan prepared by John Self and Associates, LLC dated June 3, 2004 and received by the Bureau of Planning on June 8, 2004.



## LEGAL DESCRIPTION

### TRACTS 26, 27, 28 and 29

All that tract or parcel of land lying and being in Land Lot 53 of the 14th District, Fulton County, Georgia, and being more particularly described as follows:

Commencing at a 1/2 inch open top pipe found at the Intersection of the northerly right-of-way of Solomon Street, S.E. (a variable width right-of-way) with the westerly right-of-way of Martin Street, S.E. (a variable width right-of-way), Thence departing the said westerly right-of-way of Martin Street, S.E. and continuing with the said northerly right-of-way of Solomon Street, S.E., North 89 degrees 42 minutes 42 seconds West, a distance of 430.99 feet to a point in the division line between Peter Bright on the west and Urban Development Collective, LLC (Deed Book 29027 at Page 196) on the east, said point being the TRUE POINT OF BEGINNING. Thence continuing with the said northerly right-of-way of Solomon Street, S.E., North 89 degrees 42 minutes 42 seconds West, a distance of 235.25 feet to a 1/2 inch rebar found at the intersection of the said northerly right-of-way of Solomon Street, S.E. with the easterly right-of-way of Fraser Street, S.E. (a variable width right-of-way); Thence departing the said northerly right-of-way of Solomon Street, S.E. and continuing with the said easterly right-of-way of Fraser Street, S.E., North 00 degrees 04 minutes 52 seconds East, a distance of 147.08 feet to a concrete monument found at the intersection of the said easterly right-of-way of Fraser Street, S.E. with the southerly right-of-way of Interstate 20 (a variable width right-of-way); Thence departing the said easterly right-of-way of Fraser Street, S.E. and continuing with the said southerly right-of-way of Interstate 20 the following three courses: North 88 degrees 13 minutes 52 seconds East, a distance of 143.93 feet concrete monument found; Thence South 00 degrees 17 minutes 02 seconds East, a distance of 52.73 feet to a point; Thence South 89 degrees 52 minutes 20 seconds East, a distance of 90.04 feet to a point in the said division line between the said Peter Bright on the west and the said Urban Development Collective, LLC on the east; Thence departing the said southerly right-of-way of Interstate 20 and continuing with the said division line, South 00 degrees 30 minutes 30 seconds East, a distance of 99.78 feet to a point in the said northerly right-of-way of Solomon Street, S.E., said point being the TRUE POINT OF BEGINNING.

Said tract of land contains 0.702 Acres.

RCS# 6108  
10/04/04  
4:18 PM

Atlanta City Council

Regular Session

04-O-1294      Z-04-64; 438 FRASER STREET 62-68 SOLOMON  
STREET REZONE C-1 AND RG-3 TO PD-MU  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	B Shook	B Maddox	Y Willis
NV Winslow	Y Muller	Y Sheperd	NV Borders

04-O-1294

04-0-1294

(Do Not Write Above This Line)

First Reading  
Committee Zoning  
Date July 14, 2004  
Chair John P. ...  
Referred To ...

FINAL COUNCIL ACTION  
☒ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☐ Consent ☐ V Vote ☒ RC Vote

AN ORDINANCE Z-04-64

BY: ZONING COMMITTEE  
AN ORDINANCE TO REZONE FROM THE C-1 (COMMUNITY BUSINESS) DISTRICT AND THE RG-3 (RESIDENTIAL GENERAL-SECTOR 3) DISTRICT, PROPERTY LOCATED AT 438 FRASER STREET, S.E./62-68 SOLOMON STREET, S.E., FRONTING 147.08 FEET ON THE EAST SIDE OF FRASER STREET BEGINNING AT THE NORTHEAST CORNER OF SOLOMON STREET. DEPTH: VARIES; AREA: .702 ACRE; LAND LOT 53, 14<sup>TH</sup> DISTRICT, FULTON COUNTY, GEORGIA.  
OWNER: CAPITAL CITY VENTURES HOLDINGS, LLC  
APPLICANT: SAME  
BY: CARL E. WESTMORELAND, JR., ESQ., NPU-V COUNCIL DISTRICT 5

ADOPTED BY

OCT 0 4 2004

- ☐ CONSENT REFER **COUNCIL**  
☒ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☐ PERSONAL PAPER REFER

Date Referred 7/19/2004

Referred To: Z&B's Zoning

Date Referred

Referred To:

Date Referred

Referred To:

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

*[Handwritten signatures and notes]*

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Members

Refer To

Refer To

CERTIFIED

OCT 0 4 2004

ATLANTA CITY COUNCIL PRESIDENT

MAYOR'S ACTION

MAYOR